

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Docket No. 1:04-CR-10194-RCL

UNITED STATES of AMERICA

v.

FRANCIS MUOLO, Anthony
Bucci and David Jordan,
Defendants.

MOTION TO IMPOUND

NOW COMES Kevin L. Barron, CJA counsel to defendant, and moves for an order impounding certain expert reports pursuant to LR 7.2. Counsel believes there is good cause that an impoundment order issue and should not be lifted because the relevant material contains psychological test data and psychiatric information. The information should be released to counsel as the court requires, subject to protective order. Counsel seeks leave hereby to move *ex parte* for a protective order on terms the Court deems just if this motion is granted. In accordance with L.R. 7.2 (c), there should be no cut-off date for the order sought in this motion; once the judgment of this action becomes final as to all defendants and collateral review has concluded (or time for the same has expired), material not specifically released from impoundment should be returned to counsel for destruction. This request should not be construed as a blanket order of impoundment. L.R. 7.2(e). It is intended to apply only to anticipated expert psychiatric reports and a motion for a protective order.

Dated this 2nd day of November, 2005 at Boston, Massachusetts.

/s./ Kevin L. Barron

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CERTIFICATE OF SERVICE

Counsel certifies that he has, today, February 6, 2006, caused AUSA McNeil, Esq., and co-counsel Michael Natola, Esq., and Thomas Drechsler, Esq., all to be served with a true copy of this motion electronically through this District's CM/ECF and that there are no counsel in this case requiring service by regular mail.

/s./ Kevin L. Barron

Kevin Lawrence Barron 550712